

EXHIBIT 1

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Conformed Copy

ENDORSED
 FILED
 San Francisco County Superior Court
 SEP 21 2007
 GORDON PARKER, Clerk
 BY: MARIA SANCHEZ
 Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF SAN FRANCISCO

STATE OF CALIFORNIA *ex rel.* JAYDEEN)
 VICENTE and JAYDEEN VICENTE)
 Individually,)
)
 Plaintiffs,)
)
 v.)
)
 ELI LILLY AND COMPANY,)
)
 Defendant.)

Case No. CGC-07-463338

NOTICE TO ADVERSE PARTY OF
 REMOVAL TO FEDERAL COURT

NOTICE TO ADVERSE PARTY OF REMOVAL TO FEDERAL COURT

1 TO PLAINTIFF STATE OF CALIFORNIA *ex rel.* JAYDEEN VICENTE and
2 JAYDEEN VICENTE Individually AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that on September 21, 2007, Defendant Eli Lilly and
4 Company caused this action to be removed to the United States District Court for the Northern
5 District of California. A copy of the Notice of Removal is attached hereto and is served and filed
6 herewith. This notice is being provided pursuant to 28 U.S.C. §§ 1446(d).

7 Dated: September 21, 2007

SIDLEY AUSTIN LLP

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9
10 By: 

Geoffrey M. Edgar

11 Attorneys For Defendant
12 ELI LILLY AND COMPANY
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is Sidley Austin LLP, 555 California Street, San Francisco, California 94104.

On September 21, 2007, I served the foregoing document(s) described as **NOTICE TO ADVERSE PARTY OF REMOVAL TO FEDERAL COURT** on all interested parties in this action as follows (or as on the attached service list):

- ☒ (U.S. MAIL) I served the foregoing document(s) by U.S. Mail, as follows: I placed true copies of the document(s) in a sealed envelope addressed to each interested party as shown above. I placed each such envelope for collection and mailing at Sidley Austin LLP, San Francisco, California. I am readily familiar with the Firm's business practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid.
- ☐ (U.S. EXPRESS MAIL) I served the foregoing document(s) by Express Mail, as follows: I placed true copies of the document(s) in a sealed envelope addressed to each interested party as shown above. I placed each such envelope for collection and mailing at Sidley Austin LLP, San Francisco, California. I am readily familiar with the Firm's practice for collection and processing of correspondence for mailing via Express Mail. Under that practice, the Express Mail would be deposited in the United States Postal Service on that same day in the ordinary course of business, with Express Mail postage thereon fully prepaid.
- ☐ (FACSIMILE) I caused the foregoing document(s) to be served by facsimile transmission from facsimile machine number (415) 772-7400 to the interested party at the facsimile telephone numbers shown. Each transmission was reported as complete and without error. A transmission report was properly issued by the sending facsimile machine for each interested party served.
- ☐ (FEDERAL EXPRESS) I served the foregoing document(s) by Federal Express as follows: I placed true copies of the document(s) in a sealed envelope addressed to each interested party as shown above. I placed each such envelope for collection and mailing at Sidley Austin LLP, San Francisco, California. I am readily familiar with the Firm's practice for collection and processing of correspondence for mailing via Federal Express (an express service carrier which provides overnight delivery). Under that practice, the sealed, addressed envelope(s) are delivered to an authorized courier or driver authorized by Federal Express the same date they are collected and processed, with all charges paid.
- ☐ (HAND DELIVERY) I caused the document(s) to be delivered by hand by a courier service to the addressee(s) shown above unless otherwise noted.
- ☐ (E-MAIL) I caused the document(s) to be delivered by e-mail to each interested party as shown above.
- ☐ (LEXIS NEXIS) I caused the document(s) to be delivered by e-mail by Lexis Nexis File & Serve to each interested party as shown above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 21, 2007, at San Francisco, California.

By:

Gabriela Rodriguez

Gabriela Rodriguez

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